

"Dr. Shokunbi's F-214 Nervine * * * Ingredients: Blue Skull Cap, Valarin, Catnip, Lady Slipper, Corriander Seed, Capsicum."

NATURE OF CHARGE: Misbranding, Section 502 (a), certain statements on the bottle labels, in a pamphlet entitled "Universal Tabloid," and on a circular entitled "Why Use Chemical Drugs," accompanying certain shipments of *Dr. Shokunbi's Tree of Life F-218*, were false and misleading. These statements represented and suggested:

That the *Dr. Shokunbi's F-219 Asthma Aid* when used as directed would be efficacious for the treatment of asthma, chronic bronchitis, hay fever, and persistent coughs with congestion and irritation of the throat, and that the product was a tonic;

That the *Dr. Shokunbi's Tree of Life F-218* when used as directed would be efficacious in the treatment of high blood pressure, low blood pressure, kidney disease, bladder disease, rheumatic pain, gas on stomach, run-down condition, nervousness, cough due to cold, chronic bronchitis, asthma, arthritis, backache, change of life, lumbago, and conditions implied by the abbreviation, etc., and that it was a general tonic for men and women;

That the *Dr. Shokunbi's F-62 Herbal Hair Growing Aid* when used as directed would be efficacious to aid the growth of hair; and

That the *Dr. Shokunbi's F-214 Nervine* when used as directed would be efficacious in the treatment of nervous debility, hysteria, melancholia, neurasthenia, overwork, brain fatigue, and conditions implied by the abbreviation, etc., and that it was a general tonic.

The products when used as directed would not be effective for the purposes claimed.

DISPOSITION: A plea of not guilty having been entered on behalf of the defendant, the case came on for trial before the court and jury on October 30, 1950. The trial was concluded on November 1, 1950, at which time the jury returned a verdict of guilty against the defendant. On the latter date, the court imposed a fine of \$9,000, plus costs, and a sentence of 9 years in prison against the defendant.

3298. Misbranding of mineral water. U. S. v. 15 Cases, etc. (F. D. C. No. 29714. Sample No. 3051-K.)

LABEL FILED: August 28, 1950, District of Columbia.

PRODUCT: 15 cases, each containing 1 dozen 1-pint bottles, of *mineral water* in interstate commerce in the District of Columbia in the possession of R. & S. Nutrients, Inc., together with 38 packages, each containing 240 booklets entitled "Mineral Water from the Mile Deep Maple Well J. L. Rogers, D. C., N. D. Price 25¢."

Examination indicated that the product consisted of a solution of calcium chloride, magnesium chloride, sodium chloride and small proportions of other mineral salts, including potassium, iron, and iodine compounds that possess a negligible radio-activity.

LABEL, IN PART: "Mile Deep Natural Mineral Water from Maple, Ontario."

NATURE OF CHARGE: Misbranding, Section 502 (a) certain statements in the booklet were false and misleading since the article would not accomplish the results stated and implied. The statements represented and suggested that a spoonful daily of the article would provide the user with good health; that the article was effective for sores on the face and body; that its calcium chloride content would enable it to produce red blood, and that its magnesium

content would act as a cleansing agent; that many major diseases are caused by deposits of inorganic minerals in the body (joints, blood vessels, etc.), and that the article would put such minerals to work for health; that the article would prevent stiffening and excess depositing of minerals in the tissues, thus preventing or relieving arthritis, high blood pressure, or other ailments; that it would render water-soluble deposited or crystallized minerals and metals in and on the tissues, making these more flexible; that it would cause the body to assimilate minerals deposited in or on the tissues; that it would dissolve and remove tissue waste, the principle cause of sickness, and thus benefit the sick; that it would prevent trace elements ingested in larger quantities than the body can use from causing poor health as a result of metal or mineral poisoning; that it was a wonderful aid to arthritic patients by reason of its ability to break down excessive calcium deposits in the joints; that it would move poisons in the body; that it would remove cholesterol, the cause of high blood pressure, gallstones, and scores of other ailments, keeping it in solution; that it would restore health and provide the necessary elements for the structure and vitality of the organs; that every disease is due to a lack of one or more inorganic salts, and that health and strength could be maintained by supplying these salts through the medium of the article; that the article was capable of healing all diseases which are curable to all; that it would be effective in curing long-standing chronic diseases brought on by over-dosing, excessive use of quinine, mercury, etc.; that it would remedy the chronic forms of nervous debility, rheumatism, asthma, anemia, diabetes, goiter, organic heart disease, neuralgia, paralysis, varicose veins, catarrh, and dropsy; that by reason of its content of sulfate of calcium, the article would act as a preventive of cell disintegration and suppuration and would be effective in the third state of all suppurative processes, including catarrhs, lung troubles, boils, carbuncles, ulcers, abscesses, pimples and pustules of the face, and all cases of true suppuration; that by reason of its chloride of potash content, it was indicated in glandular swelling, discharges or expectoration of a thick, white, fibrous consistency, white or gray exudations, and was excellent in catarrhal conditions with those symptoms; that it was effective in croup, diphtheria, dysentery, and pneumonia, and in the control of plastic exudation; that by reason of its chloride of soda content, it would act on the blood, liver, spleen, and every mucous membrane of the body; that it was indicated in headache, toothache, face-ache, stomachache, vomiting of water and mucus, catarrhal affections of mucous membranes, with secretion of transparent, frothy, watery mucus, small, watery blisters or blebs on the skin, diarrhea, slimy, transparent stools, inflammation of the eyes, leucorrhea, and for washing drugs from the system; that by reason of its silica content, the article would ripen abscesses and would promote suppuration; that it would cure chronic, gouty rheumatic affections and restore suppressed foot-sweats, thus indirectly remedying diseases resulting from suppression of foot-sweat, such as amblyopia, cataract, paralysis, etc.; that it would prevent atrophy; that it would favorably affect the central and peripheral nervous systems, as in languor, sleepiness, anxious dreams, nervous irritability, depression, headaches, trembling, and parietic symptoms; that by reason of its chlorine content, the article would aid in the regulation and stimulation of muscular action; that by reason of its magnesium content, it would favorably affect muscular activity, nerve stability, and bone structure, and would have a laxative effect; that by reason of its sodium content, it would maintain normal heart action; that it would prevent rapid disintegration of cell tissues; that by reason of its radium content, it would have a beneficial effect; that it

would render one free from all symptoms of rheumatism; that it was a remedy for diabetes mellitus, holding out a reasonable hope that where the pancreatic gland is not too much destroyed, it would restore the gland to its normal function; that there was reason to believe that it would be decidedly helpful in tuberculosis; that it would cure high blood pressure and produce excellent results in severe cases of laryngitis accompanied by an ulcerated mouth; that it would remedy unbearable pain in the legs and cure pyorrhea; that if used as a rinse for the mouths of children, it would decrease their aches and pains and ill health caused by pyorrhea; that it would relieve external itching of seven years' duration; that it would give quick recovery from an alcoholic "binge"; that it would cut short the common cold, la grippe, and bronchitis; that it would produce a healthy pink color in the face; that it would cause response from disease conditions in cases of all sorts where no response had resulted from the usual medical and hospital treatment, various diets, and/or drugless treatment; that the article would cause remarkable recovery from hives of long standing, high blood pressure, diabetes, ulcers of the stomach, arthritis, leg pains, kidney and bladder trouble, loss of appetite, etc.; that it was more effective in getting the average patient back towards health than the vitamins; that it was beneficial when applied externally for ulcers; that it would supply salts not obtainable in food because of depleted soils and cooking; that it would cure duodenal and pyloric ulcers, kidney and bladder troubles, diabetes, arthritis, and rheumatism; that it would enable the diabetic to abandon the use of insulin; that it would relieve gastric ulcers and render the sufferer stronger and more buoyant; that it would supply energy and pep; that it would make one feel like one of half his age; that it would remedy a weakened condition and dizzy spells and enable one to sleep; that it would correct nervous stomach and shorten the course of the grippe and the "grippy" cold and "achy" feelings accompanying that condition; and that it would prevent the loss of sense of smell and taste during a cold.

DISPOSITION: September 27, 1950. R. & S. Nutrients, Inc., Washington, D. C., claimant, having admitted the allegations of the libel, judgment of condemnation was entered and the court ordered that the booklets be destroyed and that the product be released under bond to be brought into compliance with the law, under the supervision of the Federal Security Agency. The booklets were destroyed, and the bottles were relabeled.

3299. Misbranding of Weber's liniment. U. S. v. 105 Bottles, etc. (F. D. C. No. 29741. Sample No. 13747-K.)

LIBEL FILED: September 20, 1950, Middle District of Pennsylvania.

ALLEGED SHIPMENT: On or about August 24, 1950, from Baltimore, Md.

PRODUCT: *Weber's liniment*. 105 8-ounce bottles, 24 ½-gallon jugs, and 1 1-gallon jug at Chambersburg, Pa., in possession of the consignee, H. Weber & Co.

RESULTS OF INVESTIGATION: The product was shipped in 5-gallon bottles. After completion of the interstate shipment, the product was repackaged and labeled by the consignee. At the time of the investigation, the consignee had in his possession a number of leaflets entitled "Weber's Liniment," which were distributed by the salesman for the consignee at the time sales of the product were made.

Analysis showed that the product consisted essentially of alcohol, 77 percent, ammonia, camphor, sassafras oil, cayenne pepper, and water.

LABEL, IN PART: "The Genuine Weber's Liniment * * * Alcohol 81%."